

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

In re:

SCOTT VINCENT VAN DYKE

Debtor.

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Case No. 21-60052

Chapter 7 Case

ORDER CONFIRMING ABSENCE OF THE AUTOMATIC STAY

[Relates to Dkt. No. 174]

Upon the record of the hearing held on September 28, 2022, it is hereby ORDERED THAT:

1. The automatic stay provisions provided by 11 U.S.C. § 362 were previously lifted by this Court's prior orders and do not stay Eva Engelhart, Chapter 7 Trustee for the estate of Anglo-Dutch Petroleum International, Inc. (the "ADPI Trustee"), from filing a constructive trust action in Texas state court pertaining to the fraudulent transfers at issue and resolved via final judgment in *Engelhart v. Van Dyke*, Case No. 4:19-cv-02894, United States District Court for the Southern District of Texas.

2. Except for filing, requesting citation for, and serving the to-be-filed Texas state court constructive trust action, the ADPI Trustee shall not take any other actions in the to-be-filed constructive trust action without further order of the Court.

3. The fourteen-day stay provided under Federal Rule of Bankruptcy Procedure 4001(a)(3) will not apply and this Order will be effective immediately upon its entry.

4. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.